

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Giritch *et al.* Confirmation No.: 1051  
Appl No.: 10/544,135 Group Art Unit: 1638  
Filed: August 23, 2005 Examiner: Bui, Phuong T.  
For: PLANT TRANSFORMATION WITH IN VIVO ASSEMBLY OF A SEQUENCE  
OF INTEREST

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

This is in response to the Office Action dated February 3, 2010, in which the Examiner has required restriction between Group I, namely Claims 1-27, Group II, namely Claims 28, 29, and 33, and Group III, namely Claims 30-32. Applicants hereby elect to prosecute the claims of Group I (Claims 1-27) and expressly reserve the right to file divisional applications or take such other appropriate measures deemed necessary to protect the inventions in the remaining claims.

Should the Examiner have further questions or comments with respect to examination of this case, it is respectfully requested that the Examiner telephone the undersigned so that further examination of this application can be expedited.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

/david m. saravitz/

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